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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,110	12/21/2000	Arnoldus Johannes Juliana Boudewijns	PHN 17,830	1476
24737	7590	06/02/2005	EXAMINER ABDULSELAM, ABBAS I	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			ART UNIT 2674	PAPER NUMBER

DATE MAILED: 06/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/747,110	BOUDEWIJNS ET AL.	
	Examiner	Art Unit	
	Abbas I Abdulselam	2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
 THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 06 October 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-8 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.

- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-8 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claim 1, it is unclear as to how assigning pointer coordinates with respect to a memory would prevent introduction of errors, and proper correction is needed.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kage et al. (USPN 6377241) and in view of Morita (USPN 5109225).

Regarding claim 1, Kage et al. (herein after = “Kage”) teach an information processing device Fig. 9 (101) connectable to a displacement signal generating device (Fig. 9 (104)), characterized in that a memory is present (Fig. 9 (102)), and in that means are present for, upon clicking of the displacement signal generating device button (Fig. 11), assigning to the information processing device pointer coordinates as a function of pointer coordinates present in the memory at a point in time prior to said clicking of the displacement signal generating device button (col. 10, lines 61-67, col. 11, lines 1-4, col. 14, lines 9-28 and Fig. 10 (5)).

However, Kage does not specifically teach, “means for storing pointer coordinates in the memory on a first-in first-out basis”. Kage on the other hand teaches a coordinate updating section (5) in which coordinates of a pointer stored in a memory are updated (col. 11, lines 18-20).

Therefore, it would have been to one of ordinary skill in the art at the time the invention was made to utilize kages’ coordinate updating section (5) for the manner by which pointer coordinates are stored. One would have been motivated in view of the suggestion that coordinate updating section (5) is functionally equivalent to “storing based on first in first out basis”.

Kage does not teach “prevention of unwanted hand movement at the instant of the clicking from introducing an error in the pointer coordinates. Moirta on the other hand teaches detecting inclination information of the coordinate pointer and correcting the coordinate value in dependence on inclination error, thereby attaining correct coordinate reading. See col. 2, lines 16-23 and Fig. (51-58).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify kage's direction instructing apparatus shown in Fig. 10 to incorporate Morita's technique of detecting and correcting of coordinate values as demonstrated in Fig. 1. The reason for the incorporation being that both kage and Morita teach about coordinate information for a pointer, and one of ordinary skill in the art would have looked toward Morita for the accuracy of coordinate representation.

Regarding claim 2, kage teaches the function enables pointer coordinates that have been present in the memory for the longest period of time to be assigned to the information-processing device (Fig. 4A-C and col. 8, lines 21-33).

Regarding claim 3, Kage teaches the function enables pointer coordinates to be assigned to the information processing device, which pointer coordinates are an average of certain pointer coordinates inputted into the memory during a first predetermined period of time before clicking and during a second predetermined period of time after clicking (Fig. 4A-C, col. 8, lines 21-33 and col. 9, lines 20-39).

Regarding claim 4, Kage teaches the function enables pointer coordinates to be assigned to the information processing device, which pointer coordinates are an average of certain pointer coordinates inputted into the memory during a first number of information processing device clock cycles before clicking and during a second predetermined number of information

processing device clock cycles after clicking (Fig. 4A-C, col. 8, lines 21-33 and col. 9, lines 20-39).

Regarding claim 5, Kage teaches the second period of time and the second predetermined number of information processing device clock cycles, respectively, are zero, and in that the function enables pointer coordinates that are an average of certain pointer coordinates present in the memory at the instant of clicking to be assigned to the information processing device (Fig. 4A-C, col. 8, lines 21-33 and col. 9, lines 20-39).

Regarding claim 6, Kage teaches certain pointer coordinates present in the memory at the instant of clicking are all pointer coordinates present in the memory at the instant of clicking (Fig. 10 (4, 5)).

Regarding claim 7, Kage teaches the means for assigning comprise a computer program (col. col. 6, lines 23-27).

Regarding claim 8, Kage teaches at least the memory, or the storing means, or the means for assigning, are at least partly present in the displacement signal generating device (col. 10, lines 31-37).

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abbas I Abdulselam whose telephone number is (571) 272-7685. The examiner can normally be reached on Monday through Friday from 9: 00 A.M. to 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on (571) 272-7603. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abbas Abdulselam

Examiner

Art unit 2674

May 25, 2005



XIAO WU
PRIMARY EXAMINER